

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

| | | |
|-----------------------|---|---------------------|
| IN RE: | § | |
| | § | CASE NO. 06-40948-R |
| RALPH J. STEIN | § | |
| XXX-XX-0114 | § | CHAPTER 13 |
| 4319 HOLLOW OAK DRIVE | § | |
| DALLAS, TX 75287 | § | |
| | § | |
| BONNIE J. STEIN | § | |
| XXX-XX-6310 | § | |
| | § | |
| | § | |
| DEBTOR(S) | § | |

TRUSTEE'S REPORT FOR CONFIRMATION, AND WITNESS AND EXHIBIT LIST

TRUSTEE'S REPORT FOR CONFIRMATION

Attorney for Debtors: GEORGE A. SHELBURNE

Trustee: JANNA L. COUNTRYMAN

Plan filed on: October 16, 2006

I. Budget Information

| | | |
|----|----------------------|--------------|
| A. | Monthly income: | |
| | Debtor | \$.00 |
| | Joint Debtor | \$.00 |
| | Other | \$ 23,185.00 |
| | Total | \$ 23,185.00 |
| | Expenses | \$ 21,484.58 |
| | Difference | \$ 1,700.42 |
| B. | Monthly plan payment | \$ 2,000.00 |

II. Analysis of Plan

| | | |
|----|--|---------------|
| A. | Monthly plan payment | \$ 2,000.00 |
| B. | Plan duration in months | 55 |
| C. | Total to be paid into plan | \$ 110,000.00 |
| D. | Administrative allowance (10% of total to be paid into plan) | \$ 11,000.00 |
| E. | Net available to creditors | \$ 99,000.00 |

The following claims for case number 06-40948-R are known to the Trustee at this time, and the Plan proposes treatment as follows:

PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS:

| Creditor | Proposed Principal Amount | Rate | Term* | Monthly Payment | Total |
|--|---------------------------------|------|-------|--------------------|--------------|
| DEBTOR'S ATTORNEY | \$ 1,750.00 | .00% | FF | \$.00 | \$ 1,750.00 |
| GEORGE A. SHELBURNE ACCOUNTANT FEE | 3,150.00 | .00 | | ** | 3,150.00 |
| INTERNAL REVENUE SERVICE INCOME TAX | 75,000.00 | .00 | | ** | 75,000.00 |
| TOTAL PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS | | | | | \$ 79,900.00 |

SECURED CLAIMS:

| Creditor | Proposed Principal Amount | Rate | Term | Monthly Payment | Total |
|---|---------------------------------|------|------|--------------------|---------------|
| CUSHMAN AND WAKEFIELD OFFICE LEASE (Assume lease) | \$.00 | .00% | | \$.00 | \$.00 |
| BANK OF AMERICA 2004 LAND ROVER(Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| GE CONSUMER FINANCE OFFICE FURNITURE (Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| GE CONSUMER FINANCE OFFICE FURNITURE (Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| NATIONAL CITY MORTGAGE CO. HOMESTEAD (Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| SUNTRUST BANK 2004 VOLKSWAGON (Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| VOLVO FINANCE 2004 VOLVO (Debtor is disbursing agent) | .00 | .00 | | .00 | .00 |
| TOTAL SECURED CLAIMS | | | | | \$.00 |
| TOTAL PAID TO PRIORITY, SPECIALLY CLASSIFIED UNSECURED AND SECURED CLAIMS | | | | | \$ 79,900.00 |
| AMOUNT AVAILABLE TO UNSECURED CLAIMS | | | | | \$ 19,100.00 |
| PROJECTED DISPOSABLE INCOME AMOUNT UNDER 11 USC §1325(b) | | | | | \$ 266,773.20 |

* FF signifies distribution from first funds

** pro rata distribution

The Trustee objects to confirmation on the following grounds:

- It does not appear that the debtor(s) have dedicated **all projected disposable income** to the proposed plan as required by 11 USC 1325(b)(1)(B).
- It does not appear that the Debtors will be able to make all payments under the Plan as required by 11USC 1325 (a)(6).
- The Debtor's **attorney's fees** and **accountant's fees** must be approved by the court.

WITNESS AND EXHIBIT LIST

The Trustee reserves the right to call as a witness any or all of the following listed persons in relation to confirmation:

1. Janna L. Countryman, Chapter 13 Trustee
2. Greg R. Arnové, Staff Attorney
3. Debtors
4. Any witness designated by other party
5. Jane Jolley

The Trustee reserves the right to introduce into evidence any or all of the following:

1. Copy of the Trustee's Confirmation Report, Witness and Exhibit List
2. Copies of any schedules or pleadings as filed herein by the Debtors or any other party
3. Copies of any Proof of Claim as filed herein by any creditor or other party
4. Copies of any Chapter 13 Plan and amendments thereof filed herein by the Debtors
5. Copy of the latest computer printout from the Trustee's office representing the Chapter 13 Plan payments received by the Trustee from the Debtors
6. If the Debtors are self-employed, the Debtors' monthly operating reports or profit and loss statements provided to the Trustee
7. Copies of the Debtors' prior years' tax returns as provided to the Trustee
8. Copy of Required Amendments sheet from the §341 Meeting of Creditors
9. Copy of any other document produced by the Debtors at the §341 Meeting of Creditors, or subsequently produced by the Debtors to the Trustee
10. Copy of the current issue of the Dallas/Fort Worth Metroplex Apartment Guide
11. Copy of the current issue of the Dallas Morning News
12. Copies of any other exhibits designated by any other party

Copies of these exhibits will be provided by the Trustee upon request by any party.

Respectfully submitted,

/s/ Greg R. Arnové

Janna L. Countryman, TBN 04888050

Greg R. Arnové, TBN 00783562

Office of the Standing Chapter 13 Trustee

500 North Central Expressway, Suite 350

Plano, Texas 75074

(972) 943-2580 / Fax (972) 943-8050

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Trustee's Report for Confirmation, and Witness and Exhibit List has been served upon the following parties in interest on or before the date set forth below by electronic mail and/or by mailing a copy of same to them via first class mail.

GEORGE A. SHELBURNE
ATTORNEY AT LAW
6116 NORTH CENTRAL, SUITE 920
DALLAS, TX 75206

RALPH J. STEIN
BONNIE J. STEIN
4319 HOLLOW OAK DRIVE
DALLAS, TX 75287

LINEBARGER GOGGAN BLAIR ET AL
2323 BRYAN STREET, SUITE 1600
DALLAS, TX 75201-2644

Dated January 16, 2007

/s/ Janna L. Countryman
Office of the Standing Chapter 13 Trustee